



Public Notice

U.S. Army Corps of Engineers, Norfolk District

September 15, 2005

CENAO-TS-G
05-V1071-40

FEDERAL PUBLIC NOTICE

The District Engineer has received a joint application for Federal and State permits as described below:

APPLICANT

South Riding LLC
C/o Toll Brothers, Inc.
Attn: Mr. Richard Paton
PO Box 159
Arcola, VA 20107

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located on a portion of an approximately 2000-acre tract northeast of the intersection of Gum Springs Road (Route 659) and Braddock Road (Route 620) in Loudoun County, Virginia. The work will occur in tributaries to Ellick Run.

PROPOSED WORK AND PURPOSE: The project consists of the discharge of fill material into waters of the United States associated with the continuing development of the subject tract. The project is called South Riding, Area 9. Approximately 0.447 acre of jurisdictional areas, comprised of 0.221 acre palustrine forested wetlands, 0.054 acre palustrine emergent wetlands and 0.172 acre (1267 linear feet) stream channels, will be impacted by the proposed work. On-site stream buffer preservation and a contribution to the Virginia Aquatic Resources Trust Fund will provide stream mitigation. On-site wetland creation, wetland preservation, and wetland buffer preservation and credit purchase from an approved wetland mitigation bank will provide wetland mitigation.

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ) assuring that applicable laws and regulations pertaining to water quality are not violated. A vicinity map and project plans are attached. This public notice and the drawings can also be viewed at <http://www.nao.usace.army.mil/Regulatory/PN/PN.html>.

AUTHORITY: Permits are required pursuant to Sections 401 and 404 of the Clean Water Act (Public Law 95-217) and Title 62.1 of the Code of Virginia.

FEDERAL EVALUATION OF APPLICATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including individual and cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be

expected from the proposal must be balanced against its reasonably foreseeable detriments. All of the proposal's relevant factors will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The Environmental Protection Agency's "Guidelines for Specification of Disposal Sites for Dredged or Fill Material" will also be applied (Section 404(b)(1) of the Clean Water Act).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Anyone may request a public hearing to consider this permit application by writing to the District Engineer within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Engineer will then decide if a hearing should be held.

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and (3) no known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area, or would likely be affected by the proposal. The permit area is limited to the impact areas and adjacent uplands. Additional information might change any of these findings.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the U.S. Army Corps of Engineers-Norfolk District, Northern Virginia Field Office, 18139 Triangle Plaza, Suite 213, Dumfries, VA 22026, and should be received by the close of business on October 17, 2005.

If you have any questions about this project or the permit process, please contact Mr. Ron Stouffer at 703-221-6967.

FOR THE DISTRICT ENGINEER:

Bruce F. Williams
Chief, Northern Virginia
Regulatory Section

Enclosures



